

App. No. 10/810,145  
Office Action Dated August 30, 2005

### REMARKS

Favorable reconsideration of this application is requested in view of the above amendments and the following remarks. Claim 12 is amended editorially.

The Examiner contends that the information disclosure statement filed March 26, 2004 fails to comply with 37 CFR 1.98(a)(2) for not providing copies of each cited foreign patent document. Copies of references previously submitted with the parent application were not provided, in keeping with PTO policy. Therefore, Applicants respectfully request that the listed foreign documents be considered.

Claims 11-12, 28-29, and 31 were rejected as being anticipated by Takahashi (US 6,084,747). Applicants traverse this rejection. Takahashi does not disclose a magnetic head device including a contacting portion that contacts an elastic portion so that the elastic portion is deformed elastically when a head main body is located away from an information recording medium, as required by claim 11. Rather, Takahashi discloses a magnetic head device including a contact portion (second regulating portion 32b) that contacts a second cut-out formed in the head support member (6b, rejection equates to the claimed elastic portion) when the moveable base block (4, rejection equates to the claimed head main body) is located away from the informational recording medium (49). The head support member (6b) is not deformed elastically. In fact, the head support member (6b) disclosed by Takahashi cannot be considered equivalent to the claimed elastic portion. The reference discloses the support member (6b) as being a cut-out (see column 14, lines 37-43 and Figure 1).

Takahashi discloses resilient flexible portions (7, 7) that operate as the center of pivoting when the head mounting portion (5) and the head support member (6) are pivoted in the direction of contact and away from the magneto-optical disc (49). See column 7, line 11 to column 8, lines 19 and Figures 1 and 16. Therefore, the paired electrically conductive members (2, 2) are elastically deformed at the first resilient flexible portions (7, 7), and the portion of the head support member (6) must be considered as a substantially rigid body, not deforming elastically, due to its resin-molding composition.

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Similarly, Takahashi does not disclose a magnetic head device including a first contacting portion that contacts the first elastic portion so that the first elastic portion is deformed elastically, the second contacting portion contacts the second elastic portion or the head main body so that the second elastic portion is deformed elastically when the head main body is located away from the information recording medium, as required by claim 12.

The magnetic head devices of claims 11 and 12 provide a magneto-optical recording/reproducing apparatus that can be thinner than that taught by Takahashi. When the head main body is lifted, the contacting portion contacts the elastic portion so that the elastic portion is deformed elastically. Therefore, as the head main body is being lifted, the contacting portion contacts the elastic portion, causing the elastic portion to be deformed elastically such that the main body is rotated around a contacting position of the contacting portion and the elastic portion. The claimed magnetic head device structure enjoys a reduction in the amount of upward protrusion of the connected part of an intermediary portion and the elastic portion when the head main body is lifted with respect to the information recording medium. For example, Figures 29, 30, 35, and 36 show the thickness H3 of the magnetic head device not in use (when the head main body is lifted) being made substantially equal to the thickness H1 of the magnetic head device in use (when the head main body is not lifted).

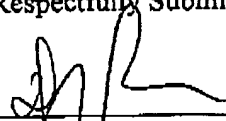
Since Takahashi does not disclose or suggest all the elements and relationships therebetween required by claim 11 and 12, the reference cannot enjoy the resulting benefits and therefore cannot be considered to anticipate or even suggest the current invention. Favorable reconsideration of claims 11-12, 28-29, and 31 is requested.

Claim 30 was rejected as being unpatentable over Takahashi. Claim 30 should be considered allowable for at least the same reasons as claim 12, from which it depends. Applicants are not conceding the correctness of the rejection as applied to the rejected claim. Favorable reconsideration of claim 30 is requested.

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In view of the above, favorable reconsideration in the form of a notice of allowance is requested. Any questions regarding this communication can be directed to the undersigned attorney, Douglas P. Mueller, Reg. No. 30,300, at (612)455-3804.

Respectfully Submitted,



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